

2003, however, the Supreme Court in *Moseley v. Victoria's Secret Catalog, Inc.*, considered the question of whether objective proof of actual injury to the economic value of a famous mark—that is, actual dilution—is required to obtain relief under the Federal Trademark Dilution Act. The Court decided that evidence of actual dilution was required, not simply a showing of likely dilution.

The Trademark Dilution Revision Act of 2006 amended the law in an attempt to reverse the *Victoria's Secret* decision and to expand the scope of State dilution claims banned under the Federal statute. During consideration of the Trademark Dilution Revision Act, however, the provision allowing a Federal registration defense to dilution claims brought under State law was reorganized in such a way as to result in an unintended substantive change in the provision. As a result, the Federal registration defense is available not only against State dilution claims, but also against Federal dilution claims.

The legislative history makes clear that Congress did not intend to allow a Federal trademark registration to bar a Federal dilution claim. H.R. 6215 corrects this error and has broad support in the intellectual property community and bipartisan support on the Judiciary Committee.

I urge my colleagues to support the legislation that ensures that the will of the Congress, as originally intended, is not undermined by an inadvertent drafting error.

Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6215, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REPORTING EFFICIENCY IMPROVEMENT ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6189) to eliminate unnecessary reporting requirements for unfunded programs under the Office of Justice Programs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6189

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reporting Efficiency Improvement Act".

SEC. 2. ELIMINATION OF REPORTS FOR UNFUNDED PROGRAMS UNDER THE OFFICE OF JUSTICE PROGRAMS.

(a) DNA IDENTIFICATION GRANTS.—Section 2406 of title I of the Omnibus Crime Con-

trol and Safe Streets Act of 1968 (42 U.S.C. 3796kk-5) is amended—

(1) by striking "(a) REPORTS TO ATTORNEY GENERAL.—"; and

(2) by striking subsection (b).

(b) POLICE CORPS PROGRAM.—

(1) REPEAL OF REPORT REQUIREMENT.—Section 200113 of the Police Corps Act (42 U.S.C. 14102) is repealed.

(2) CONFORMING AMENDMENT.—The Violent Crime Control and Law Enforcement Act of 1994 is amended by striking the item relating to section 200113 in the table of contents contained in section 2 of such Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6189, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join the ranking member, Congressman CONYERS, in cosponsoring this commonsense, bipartisan bill, the Reporting Efficiency Improvement Act, and I thank him for introducing this legislation.

The Government Performance and Results Modernization Act of 2010 requires Federal agencies to identify reports that may be outdated or duplicative. Then the executive branch must consult with Congress to determine if these reports can be eliminated. Here, the administration suggests that Congress repeal the two reports eliminated by this bill. Both of these reports are prepared by the Office of Justice Programs and the Department of Justice, but the underlying grant programs have not been funded by Congress for many years. Adopting this commonsense bill is a simple step that Congress can take to help Federal agencies work more efficiently. I hope this bill sets a precedent for many similar bills in the future.

I again thank Mr. CONYERS for his initiative on this issue. I would urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

H.R. 6189, the Reporting Efficiency Improvement Act, eliminates two reporting requirements that the Department of Justice deems no longer needed or useful to the Congress.

Under the Government Performance and Results Modernization Act, the Department of Justice conducts an annual review of statutory reporting requirements that are outdated, duplicative, or otherwise no longer useful. In

this review, the Department identified two reports that are the subject of the bill before us now. The first of the two stems from the DNA Analysis Backlog Elimination Act, under which the Attorney General is required to report to Congress on various grants made to States to perform DNA analysis. Because Congress has not appropriated any funding for these specific grants since fiscal year 2003, this statutory reporting requirement has been obsolete for almost a decade.

The second report is based on the Police Corps Act, originally a part of the Violent Crime Control Act of 1994. The Director of the Office of the Police Corps is required to make an annual report to Congress on the program's status. However, Congress hasn't appropriated any funds for the office since fiscal year 2005.

So, H.R. 6189 is a simple cleanup of the Federal code. There is no need to have these reporting requirements on the books if there's no activity for the Department of Justice or the Office of Justice Programs to report, and none planned at any time in the near future.

It's important to note that this legislation doesn't make changes to the relevant programs; it merely eliminates discrete reporting requirements that are no longer useful.

I want to thank LAMAR SMITH, the chairman of the Judiciary Committee, for his support and eagerness in moving this legislation through the committee.

I urge my colleagues to support the measure. And having no other requests for additional speakers on this side, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I first want to thank the ranking member, the gentleman from Michigan (Mr. CONYERS), for his nice comments, and I'll yield back the balance of my time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6189, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

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MAKING IMPROVEMENTS IN ENACTMENT OF TITLE 41

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6080) to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6080

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,